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7

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **SANTA ANA DIVISION**

11 In re
12 NORTHERN HOLDING LLC,
13 Debtor.

Case No. 8:20-bk-13014-SC

Chapter 7

**AGWEST FARM CREDIT, FLCA'S
OBJECTION TO THE STIPULATION
BETWEEN CHAPTER 7 TRUSTEE AND
LEROY E. CODDING, IV RE: CONSENT
TO ADJUDICATION OF CIVIL
CONTEMPT AND REIMBURSEMENT
TO ESTATE**

Continued Hearing on OSC:

Date: June 15, 2023
Time: 11:00 a.m.
Place: Courtroom 5C
411 W. Fourth Street
Santa Ana, CA 92701

FRANDZEL ROBINS BLOOM & CSATO, L.C.
1000 WILSHIRE BOULEVARD, NINETEENTH FLOOR
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1 Secured Creditor, AgWest Farm Credit, FLCA (“AgWest” or “Secured Lender”)¹ objects
2 to the *Stipulation Between Chapter 7 Trustee and Leroy E. Coddington, IV re: Consent to*
3 *Adjudication of Civil Contempt and Reimbursement to Estate* (the “Stipulation”) [Dkt. 394] filed
4 by the Chapter 7 Trustee (“Trustee”).

5 Paragraph 7 of the Stipulation provides that of “the funds paid to the Estate, \$40,000 shall
6 be allocated to the payment of Trustee’s attorney’s fees ... and no lien of any kind shall attach to
7 such portion of the funds, including the liens of FCW.” The proposed order approving the
8 Stipulation (“Order”) (Dkt. 395) contains virtually the same language paragraph 10.

9 AgWest objects to paragraph 7 of the Stipulation and paragraph 10 of the Order because
10 AgWest is not a party to the Stipulation and was not provided with any notice that the Trustee
11 would be seeking to extract payment from Leroy E. Coddington, IV that is free and clear of AgWest’s
12 liens. Furthermore, the Trustee already agreed that such proceeds are subject to AgWest’s liens.
13 See Docket No. 211. The Trustee has provided no basis to unilaterally circumvent this Court’s
14 prior order. AgWest is in the process of meeting and conferring with the Trustee regarding these
15 issues.

16 AgWest has no other objections to the Stipulation or form of the Order.

17 DATED: May 16, 2023

Respectfully submitted,

18 FRANDZEL ROBINS BLOOM & CSATO, L.C.
19 MICHAEL J. GOMEZ
20 GERRICK M. WARRINGTON

21 By: /s/ Michael J. Gomez

22 MICHAEL J. GOMEZ
23 Attorneys for Secured Creditor
24 AGWEST WEST FARM CREDIT, FLCA
25
26

27 ¹ AgWest is the successor to Farm Credit West, FLCA, referred to as “FCW” in the
28 Stipulation and the Order.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1000 Wilshire Boulevard, Nineteenth Floor, Los Angeles, CA 90017-2427.

A true and correct copy of the foregoing document entitled (*specify*): **AGWEST FARM CREDIT, FLCA'S OBJECTION TO THE STIPULATION BETWEEN CHAPTER 7 TRUSTEE AND LEROY E. CODDING, IV RE: CONSENT TO ADJUDICATION OF CIVIL CONTEMPT AND REIMBURSEMENT TO ESTATE** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) May 16, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (*date*) May 16, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Lee Coddling
c/o Goe Forsythe & Hodges LLP
18101 Von Karman, Suite 1200
Irvine, CA 92612

Marshack Hays LLP
870 Roosevelt
Irvine, CA 92620

Tom Prountzos
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One Post Street Suite 2100
San Francisco, CA 94104

Resnik Hayes Moradi LLP
17609 Ventura Blvd Ste 314
Encino, CA 91316

☐ Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) May 16, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

The Honorable Scott C. Clarkson (overnight delivery)
U.S. Bankruptcy Court
Ronald Reagan Federal Building
Mail slot by 5th Floor elevators
411 W. Fourth Street
Santa Ana, CA 92701

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 16, 2023

Date

David T. Moore

Printed Name

/s/ David T. Moore

Signature

NEF SERVICE LIST

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